

EXHIBIT 1

From: Crowell, Nicholas P. <ncrowell@sidley.com>
Sent: Friday, February 21, 2025 9:37 AM
To: Houghton-Larsen, M Annie; Ransom, Rollin
Cc: Gottlieb, Michael; Goverski, Meryl Conant; Horner, James R.
Subject: RE: Drake v. UMG - 26(f) conference

*** EXTERNAL EMAIL ***

Annie:

You are misreading Rule 26(f) – the “scheduling order...under Rule 16(b)” refers to the *Court’s* scheduling order, not the parties’ Rule 26(f)(2) discovery plan. Accordingly, as we previously noted, the deadline to meet and confer is March 12. As we also previously noted, we believe that your requests for a conference substantially in advance of that date (including your latest request, premised in part on your incorrect reading of Rule 26(f)) are premature. And as we *further* previously noted, we believe that the Initial Pretrial Conference currently set for April 2, 2025—which in turn triggers the deadline for the parties’ Rule 26(f) conference—should be continued to a date following the Court’s ruling on our impending motion to dismiss. We understand from your January 23 e-mail and your continuing correspondence that plaintiff disagrees with that view, and we are therefore filing an appropriate request to the Court to continue that date.

Kind regards.

NICHOLAS P. CROWELL

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+1 212 839 5449
ncrowell@sidley.com

From: Houghton-Larsen, M Annie <MHoughton-Larsen@willkie.com>
Sent: Wednesday, February 19, 2025 10:33 AM
To: Ransom, Rollin <rransom@sidley.com>
Cc: Gottlieb, Michael <MGottlieb@willkie.com>; Goverski, Meryl Conant <MGoverski@willkie.com>; Horner, James R. <jhorner@sidley.com>; Crowell, Nicholas P. <ncrowell@sidley.com>
Subject: RE: Drake v. UMG - 26(f) conference

Rollin,

Because the Court has ordered the parties to submit a case management plan and scheduling order by no later than March 26, 2025, the deadline for the parties to meet and confer pursuant to Rule 26(f) is March 5, 2025. *See* Fed. R. Civ. P 26(f) (requiring that the parties meet “at least 21 days before a scheduling conference is to be held or a scheduling order is due under Rule 16(b)”). Given that approaching deadline and Plaintiff’s desire to begin discovery, we ask to confer by no later than February 26, 2025.

Please advise of UMG's availability for a conference in the next 7 days. In order to avoid redundancies, during that conference, Plaintiff will be ready to meet and confer on all items required by the Court's January 22, 2025 order in addition to those required by Rule 26.

Thank you,
Annie

M. Annie Houghton-Larsen
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Pronouns: she, her, hers

From: Houghton-Larsen, M Annie <MHoughton-Larsen@willkie.com>
Sent: Monday, February 10, 2025 1:03 PM
To: 'Ransom, Rollin' <rransom@sidley.com>
Cc: Gottlieb, Michael <MGottlieb@willkie.com>; Governski, Meryl Conant <MGovernski@willkie.com>; Horner, James R. <jhorner@sidley.com>; Crowell, Nicholas P. <ncrowell@sidley.com>
Subject: RE: Drake v. UMG - 26(f) conference

Rollin,

We disagree with your assertion that our request for a 26(f) conference is premature. As already explained, Rule 26(f)(1) is clear that "the parties *must* confer *as soon as practicable*." You don't dispute that, because of course, that's the text of the rule. Nor do you dispute that it would be "practicable" to meet and confer this week — you simply do not want to do so.

UMG's refusal to even schedule a 26(f) conference is a transparent attempt to achieve a stay of discovery without seeking one—indeed, there is no other reason why UMG would refuse to move forward with the standard scheduling conference that occurs in every case. We do not consent to your informal discovery stay request, and we will seek relief from the Court to allow this case to move forward if we must.

We do not believe that UMG's refusal to schedule a 26(f) conference is a "discovery" dispute under Judge Vargas' individual rules such that a non-email meet and confer is required prior to seeking relief. That being said, we are willing to meet and confer by phone today or tomorrow before noon ET if you disagree with our understanding.

Thanks,

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From: Ransom, Rollin <rransom@sidley.com>
Sent: Friday, February 7, 2025 6:20 PM

To: Houghton-Larsen, M Annie <MHoughton-Larsen@willkie.com>
Cc: Gottlieb, Michael <MGottlieb@willkie.com>; Goverski, Meryl Conant <MGoverski@willkie.com>; Horner, James R. <jhorner@sidley.com>; Crowell, Nicholas P. <ncrowell@sidley.com>
Subject: RE: Drake v. UMG - 26(f) conference

*** EXTERNAL EMAIL ***

Annie:

Rule 26(f) provides a deadline for the parties' conference, and we intend to comply with that deadline or ask the Court for relief from it. As noted below, we believe such a conference is premature at this time, and therefore decline your request that it take place next week.

Best regards.

Rollin

ROLLIN A. RANSOM

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From: Houghton-Larsen, M Annie <MHoughton-Larsen@willkie.com>
Sent: Friday, February 7, 2025 6:35 AM
To: Ransom, Rollin <rransom@sidley.com>
Cc: Gottlieb, Michael <MGottlieb@willkie.com>; Goverski, Meryl Conant <MGoverski@willkie.com>; Horner, James R. <jhorner@sidley.com>; Crowell, Nicholas P. <ncrowell@sidley.com>
Subject: RE: Drake v. UMG - 26(f) conference

Rollin,

As you know, Rule 26(f)(1) of the Federal Rules of Civil Procedure is clear that "the parties *must* confer *as soon as practicable*." (emphasis added). It is, indeed, practicable for us to confer now, and we don't understand you to contend otherwise. Our deadline to complete a 26(f) conference is not at all relevant. Plaintiff is eager to start the discovery process, judges in the Southern District expect the parties to move expeditiously in good faith, and UMG has provided no basis for delay.

We are certain that you have 30-45 minutes next week during which we could complete our meet and confer requirements. Please advise as to your schedule and we will make ourselves available.

Thank you,
Annie

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Pronouns: she, her, hers

From: Ransom, Rollin <rransom@sidley.com>
Sent: Thursday, February 6, 2025 6:44 PM
To: Houghton-Larsen, M Annie <MHoughton-Larsen@willkie.com>
Cc: Gottlieb, Michael <MGottlieb@willkie.com>; Goverski, Meryl Conant <MGoverski@willkie.com>;
Horner, James R. <jhorner@sidley.com>; Crowell, Nicholas P. <ncrowell@sidley.com>
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*** EXTERNAL EMAIL ***

Annie:

Given that our current deadline for a Rule 26(f) conference is not until March 12, we believe this request is premature. We can discuss the timing of a Rule 26(f) conference closer to that date, assuming the current deadline remains in place at that time.

Best regards.

Rollin

ROLLIN A. RANSOM

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If you are not the intended recipient, please delete the e-mail and any attachments and notify us immediately.

From: Houghton-Larsen, M Annie <MHoughton-Larsen@willkie.com>
Sent: Thursday, February 6, 2025 9:03 AM
To: Ransom, Rollin <rransom@sidley.com>; Crowell, Nicholas P. <ncrowell@sidley.com>;
Horner, James R. <jhorner@sidley.com>
Cc: Gottlieb, Michael <MGottlieb@willkie.com>; Goverski, Meryl Conant
<MGoverski@willkie.com>
Subject: Drake v. UMG - 26(f) conference

Rollin,

Could you please advise your availability next week for our Rule 26(f) conference?

Thank you,
Annie

M. Annie Houghton-Larsen
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